IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

**FRIDAY, THE SEVENTEENTH DAY OF NOVEMBER
TWO THOUSAND AND SIX**

PRESENT
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No.9405 of 1997

Between:

**M/s.A.P.Electronic Development Corporation,
Rep. by its General Manager, Hyderabad.
(Regional Manager, Dwarakanagar, Visakhapatnam.)**

**.....
PETITIONER**

AND

**1.Industrial Tribunal-cum-Labour Court,
Visakhapatnam, rep. by Chairman
& Presiding Officer, and another.**

.....RESPONDENTS

The Hon'ble Sri Justice Nooty Ramamohana Rao

Writ Petition No.9405 of 1997

Order:

This is a Writ Petition instituted questioning the correctness of the award dated 26th September, 1996, passed by the Industrial Tribunal-cum-Labour Court, Visakhapatnam in I.D.No.8 of 1992, which seems to be a dispute raised by one Mr.G.Srinivas, an industrial workman, about the retrenchment of his services from the writ petitioner-Industry.

Inspite of granting enormous time, the writ petitioner has not taken care to see to it that the workman is served with the process and notice. Left with no option, this Court had deleted the workman from the array of parties on 22-09-2004.

It is settled principle of law that in the absence of the workman, the correctness or otherwise of an award passed by the Industrial Tribunal in an Industrial Dispute, which has been instituted at the instance of workman, cannot be decided by this Court. Since the workman concerned is not a party to this Writ Petition as of now, no useful purpose would be served by examining the correctness or otherwise of the award passed by the Industrial Tribunal, which is the solitary respondent as of now. For non-availability of the proper and necessary parties to the Writ Petition, the same is liable to be dismissed.

Accordingly, the Writ Petition is dismissed, but however, without costs.

(Nooty Ramamohana Rao, J)

17th November, 2006
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